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Date: February 3, 2003

Sonia V. McVean
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#12
Reg. for Reconsideration
y. Robinson
3/5/03

PATENT
36856.449

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keiji SAKATA	Art Unit: 2832
Serial No.: 09/782,792	
Filed: February 14, 2001	Examiner: T. Nguyen
Title: MULTILAYER INDUCTOR	

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated October 9, 2002, the period for response to which has been extended to February 9, 2003, by the accompanying Petition for a ONE-month Extension of Time, please reconsider the above identified application in view of the following remarks.

Claims 1-10 are pending in this application.

Claims 1-5, 7, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Meadors et al. (U.S. 6,249,205) in view of Patel et al. (U.S. 6,429,763). Claims 6 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Meadors et al. in view of Patel et al., and further in view of Gu et al. (U.S. 5,499,005). Applicant respectfully traverses the rejections of claims 1-10.

Applicant encloses herewith a Declaration under 37 CFR § 1.131, in which Applicant "swears behind" U.S. Patent No. 6,429,763 to Patel et al. The 37 CFR §

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1.131 Declaration establishes a constructive reduction to practice of the invention claimed in the present application before February 1, 2000, the filing date of Patel et al. See MPEP § 715.07 and § 2138.05. Therefore, Patel et al. is not available as prior art against the present application. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-10 because each rejection relies upon Patel et al.

Accordingly, Applicant respectfully submits that Meadors et al. and Gu et al., applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in claim 1 of the present application. Claims 2-10 depend upon claim 1, and are therefore allowable for at least the reasons that claim 1 is allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicant petitions the Commissioner for a ONE-month extension of time, extending to February 9, 2003, the period for response to the Office Action dated October 9, 2002.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Date: February 3, 2003



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